

### **REMARKS**

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested. Entry of this Amendment under Rule 116 is merited as it raises no new issues and requires no further search.

Claims 6-23 are pending in the application. Claim 21 has been amended to correct a typographical error. No new matter has been introduced through the foregoing amendment.

The Examiner's observation with respect to the Substitute Specification filed June 14, 2002 is noted. Applicants acknowledge that cancelled claims 1-5 were inadvertently included in the Substitute Specification. It is respectfully requested that the inadvertent submission of cancelled claims 1-5 be removed from the file as kindly suggested by the Examiner.

The *35 U.S.C. 112, second paragraph* rejection of claim 21 due to a typographical error is noted. Applicants have corrected this error by changing "intended" to --indented--. Apparently, this amendment raises no new issues and requires no further search. Entry of amended claim 21 is therefore believed proper.

Indication of allowable subject matter of claim 21 in the absence of art rejections is also believed proper, and therefore respectfully requested.

The repeated *35 U.S.C. 102(e)* rejection of claims 6-7, 9, 12, 22-23 as being anticipated by Congleton is traversed because Congleton fails to teach or disclose that **a density of the fibrous component in the indented regions is lower than in the central and side regions** as recited in independent claim 6.

The Examiner did not respond to Applicants' arguments advanced in the last Amendment, page 5, the last three paragraphs. The Examiner's silence makes it very difficult to understand why the Examiner sustains her rejection and how Congleton teaches or discloses the above-highlighted limitation of independent claim 6. Detailed clarification is respectfully requested so that prosecution of the instant application may be advanced in a meaningful manner.

Applicants now additionally submit that Congleton fails to teach or disclose a liquid-absorbent that contains a **fibrous component** distributed in the manner recited in the last paragraph of independent claim 6.

It should be noted that the Congleton absorbent core is made of functional absorbent materials that are **foam** materials. *See* column 3, lines 52-54 of Congleton. It is well known in the art that fibrous components and foam materials have different structures. Therefore, the distribution of one type of material, i.e., the Congleton foam, is not readable on the claimed distribution of another type of material, i.e., fibrous component, as recited in independent claim 6. In this connection, the Examiner's additional reliance on column 11, lines 52-60 of Congleton is deemed inappropriate as the passage only discloses the density of the Congleton foam which is absolutely unrelated to the claimed density of the fibrous component.

Although, Congleton in column 17, lines 23-25 and 29 mentions an absorbent core that comprises a combination, which may be a multilayer structure, of the absorbent foam and conventional absorbent materials such as a) wood pulp or other cellulosic fibers, and/or, b) particles or fibers of polymeric gelling agents, the patent is silent on the density/distribution of such conventional fibers in the Congleton absorbent core.

Therefore, Applicants respectfully submit that Congleton fails to teach or disclose at least the limitations recited in the last paragraph of independent claim 6. Claim 6 is not anticipated by Congleton.

Claims 7-9, 12 and 22-23 are not anticipated by Congleton for the reasons advanced with respect to independent claim 6.

The anticipatory rejection of claim 8 is also erroneous because the Congleton patent does not teach or disclose that the indented regions extend intermittently **along** said lines. Fig. 1A of Congleton which the Examiner is relying upon for this feature does not illustrate extents of channels 40 along lines 25 of Fig. 1.

The anticipatory rejection of claim 9 is erroneous because the Congleton patent does not teach or disclose that a rigidity of the core in the indented regions is not higher than in the central and side regions. Applicants have carefully reviewed column 1, line 65 through column 2, line 67 of the Congleton reference as applied by the Examiner, and still failed to locate any teaching of the claimed limitation. Exact citation of column and line numbers of Congleton where the claim feature might be found is respectfully requested.

The repeated 35 U.S.C. 103(a) rejection of claims 10-20 as being obvious over Congleton is traversed because Congleton fails to disclose, teach or suggest all limitations of independent claim 6 from which claims 10-20 depend.

The obviousness rejection of claim 10 is also traversed because the Examiner's "well known" allegation in page 5, lines 6-10 of the Final Office Action, is evidentially unsupported. Applicants respectfully request that a reference or references be cited in support of the Examiner's position that it was well known in the art prior to the present invention to distribute super absorbent polymer particles only in the central region. In addition, the Examiner's statement that distribution of super absorbent polymer particles only in the central region prevents *side* leakage is deemed inaccurate because in order to prevent side leakage, a person of ordinary skill in the art would also have distributed absorbent polymer particles in side regions of the core.

The obviousness rejection of claim 11 is also traversed because even assuming *arguendo* that the Examiner's "duplication of the essential working parts" rationale is a proper, the modified Congleton article would still fail to possess the feature of claim 11 that the core comprises a plurality of indentations arranged along each line. In Congleton, each line includes one groove. *See* 70 in Fig. 2, and 40 in Fig. 1. Therefore, duplication of the Congleton grooves would result in an article with multiple grooves each extending along a separate line (*see*, Fig. 3C of Congleton) rather than a plurality of indentations arranged along one line as presently claimed.

The obviousness rejection of claim 13 is also traversed because Congleton fails to disclose, teach or suggest the claimed spaced openings of the indentations arranged along *one* line. Fig. 2A of Congleton teaches spaced openings of the indentations/grooves arranged along two lines.

The obviousness rejection of claim 17 is also traversed because Congleton fails to disclose, teach or suggest that the depth of at least one of the grooves gradually decreases from the longitudinally middle point of the respective line toward the longitudinally opposite ends thereof. This rejection is further traversed as detailed in page 7, the last four paragraphs of the last Amendment. The Examiner did not respond to these arguments of Applicants, failing to follow proper USPTO procedure and practice.

The obviousness rejection of claims 18-19 is also traversed because Congleton fails to disclose, teach or suggest the claimed arrangement of the topsheet. Congleton in column 15, lines

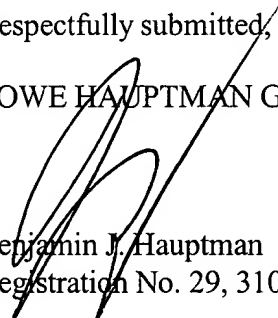
2-53 only discloses materials suitable for the topsheet.

Accordingly, all claims in the present application, namely, claims 6-23 are clearly in condition for allowance. Otherwise, the claims are believed to have been placed in better condition on appeal through the foregoing amendment.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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**MARKED-UP VERSION SHOWING CHANGES MADE**

Please amend claim 21 as follows:

21. (Twice Amended) The article of claim 6, wherein at least one of the side regions of said core has a thickness gradually decreasing from the respective ~~one of the~~ [intended] ~~indented~~ regions toward the respective one of the transversely opposite sides of said core.